

ORIGINAL

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

EDUARDO GONZALEZ,

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

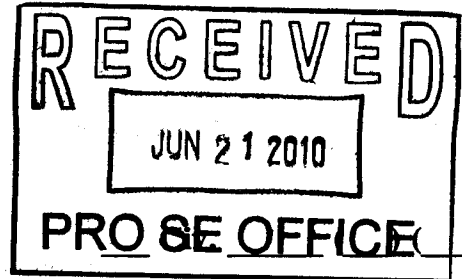
-against-

Plaintiff,

J.C. PENNEY COMPANY, INC., A CORPORA-  
TION OF THE STATE OF NEW YORK, JASON  
WALKER, COWAN BENNETT,

Defendant's

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)



REQUEST TO PROCEED  
IN FORMA PAUPERIS

WEINSTEIN, J.

I, Eduardo Gonzalez, (print or type your name) am the plaintiff/petitioner in the above entitled case and I hereby request to proceed *in forma pauperis* and without being required to prepay fees or costs or give security. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to redress.

1. If you are presently employed:

- a) give the name and address of your employer  
b) state the amount of your earnings per month

INCARCERATED.

2. If you are NOT PRESENTLY EMPLOYED:

- a) state the date of start and termination of your last employment  
b) state your earnings per month

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

9-10-08 \$15.00

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

NO

a) Are you receiving any public benefits?

☒ No.

☐ Yes, \$ \_\_\_\_\_.

b) Do you receive any income from any other source?

☒ No.

☐ Yes, \$ \_\_\_\_\_.

4. Do you have any money, including any money in a checking or savings account? If so, how much?

☒ No. ☐ Yes, \$ \_\_\_\_\_.

5. Do you own any apartment, house, or building, stock, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No. ☐ Yes, \$ \_\_\_\_\_.

6. Do you pay for rent or for a mortgage? If so, how much each month?

☒ No. ☐ Yes, \_\_\_\_\_.

7. List the person(s) that you pay money to support and the amount you pay each month.

\_\_\_\_\_  
N-A  
\_\_\_\_\_

8. State any special financial circumstances which the Court should consider.

\_\_\_\_\_  
Incarceration  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration.

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this 15 day of June, 2010.  
date month year

\_\_\_\_\_  
Signature

United States District Court  
EASTERN District of New York

**PRISONER AUTHORIZATION**

Mailed to Plaintiff by the Court on this date: JUNE 2010

RE: EDUARDO GONZALEZ - v - J.C. PENNEY, CO. INC, et al.  
(Enter the full name of the plaintiff(s).) (Enter the full name of the defendant(s).)

**NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THIS COURT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS NOTICE.**

The Prison Litigation Reform Act ("PLRA" or "Act") amends the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under the PLRA, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

\*\*\*\*\*  
**SIGN AND DATE THE FOLLOWING AUTHORIZATION:**

I, Eduardo Gonzalez (print or type your name), request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred.

**I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.**

JUNE 15, 2010  
Date Signed

Eduardo Gonzalez  
Signature of Plaintiff  
EDUARDO GONZALEZ  
N.Y.S.I.D. # \_\_\_\_\_

Local Jail/Facility I.D. # 441-10-05123

Federal Bureau of Prisons I.D. # \_\_\_\_\_